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May 30, 2013

**VIA CERTIFIED MAIL**

**NO. 70113500000109398375**

Freedom of Information Officer  
US EPA Region 5  
77 West Jackson Blvd. (MI-9J)  
Chicago, IL 60604-3590

Re: **FREEDOM OF INFORMATION ACT REQUEST**  
R.E. Burger Plant ("Facility")  
EPA ID No: 110000384922  
57246 Ferry Landing Road, Shadyside, OH 43947-9701  
Our File No. 01809.0079

Dear Sir or Madam:

On behalf of our client, Rain CII Carbon LLC, we are writing to make a Freedom of Information Act (FOIA) request for information relating to the Facility referenced above pursuant to the federal Freedom of Information Act. Please provide, within the twenty working days required by law, the following records relating to the Facility's water and waste management activities, including its environmental history, environmental incidents, spills, or emission discharges from the Facility, and any soil or water testing results from the Facility **from 1955 to present**, including without limitation,

- (i) any and all reports, test results, memoranda, letters, inter-office transmittals, and other writings, including, without limitation, any emails, messages, agreements, documents, and memoranda of telephone conversations (collectively, "FOIA Materials") relating

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to the Facility's water and waste management operations;

- (ii) any documents submitted by the Facility to the EPA related to the Facility's water and waste management operations;
- (iii) any and all intra-agency documents exchanged among the employees and representatives of the EPA and elsewhere relating to the Facility's water and waste management operations;
- (iv) any and all inter-agency documents between employees or representatives of the EPA and employees or representatives of the EPA with respect to the Facility's water and waste management operations; and
- (v) any and all documents that evidence, relate to, or provide the basis, justification or reasons for enforcement actions against the Facility related to its water and waste management activities.

Thank you in advance for your assistance with this matter. Please send the bill for this information to our firm. Kindly contact either of the undersigned if you have any questions concerning this request.

Cordially,

  
James M. Garner  
Peter L. Hilbert  
Darnell Bludworth

PLH/mmr